

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

CIVIL NO. 12-2039 (GAG)(PG)

Plaintiff,

v.

COMMONWEALTH OF PUERTO RICO,  
et. al.

Defendants.

**MOTION IN COMPLIANCE WITH ORDER AT DOCKET NO. 679**

**TO THE HONORABLE COURT:**

**COMES NOW** the Commonwealth of Puerto Rico and the Puerto Rico Police Bureau (PRPB), through the undersigned counsel, and respectfully allege and pray as follows:

1. This Honorable Court issued an order for the Commonwealth on December 18, 2017 to file an informative motion on changes on the Police Academy on January 15, 2018 and on the 15<sup>th</sup> of every month thereafter with the approval of the Governor's Personal Representative ("GPR"). (See Docket No. 679). Consequently, in compliance with the Court's order, the Commonwealth informs as follows:

- a. On October 23, 2018, the Puerto Rico Public Private Partnerships Authority (P3) published the *Viability and Desirability Study* (the "Study") of the unsolicited proposal for a Public-Private Partnership to operate the Academy, as required in Act No. 29-2009, as amended.
- b. During the meeting held on October 15, 2018 to that effect, the parties agreed to submit comments during the 30 day period provided by P3 for submitting public

comments on the Study. Therefore, the final deadline to submit comments if the parties wish to do so is on October 26, 2018.

- c. This Honorable Court issued an *Order* on October 19, 2018 (**Docket No. 989**)

which stated, in part, as follows:

Notwithstanding, it is imperative that a new Academy class commences on the target date of February 2019, stated by the Court during the last status conference. Total enrollment is not as important as the start and fluidity of the new class. The last graduating class composed mainly of PRPB officers concluded in 2015. The new Academy class provides integrity and overall efficiency to the PRPB, as furthermore safety and welfare to the United States citizens and other residents of Puerto Rico.

- d. Even though the Implementation Plan for Paragraph 13 projects the date of July, 2019 as the projected date for the start of a new Academy Class, the undersigned respectfully informs this Honorable Court that the PRPB is making its utmost efforts in order to meet target date of February, 2019, as stated on the above referenced *Order*, to commence a new Academy Class.
- e. On October 26, 2018, and pursuant to this Honorable Court's *Order* (**Docket No. 989**)<sup>1</sup> the parties met with the Fiscal Oversight and Management Board (FOMB) to discuss what the Reform process entails, and the need of flexibility within the budget associated with the Reform, now that the process has shifted from one of "Capacity Building" to "Compliance".
- f. On November 9, 2018 the parties participated on the first discussion session with P3 with regards to the Study

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<sup>1</sup> This *Order* also stated that "the elected branches of Puerto Rico and its Fiscal Board are urged to discuss and reach consensus as to this matter, as well as all other fiscal matters pertaining to the Agreement and Reform Process, hence avoiding further proceedings before the Court, which is very conscious of the current economic state." (Emphasis added.)

g. The PRPB is actively working on amending<sup>2</sup> PRPB's Staffing Regulations, or *Reglamento del Personal del NPPR*, through the emergency mechanism. The PRPB was expecting comments on such regulations from the USDOJ and the Office of the Monitor, in order for the Governor to sign the document. On this same week, the PRPB expects to publish the call for future cadets.

**WHEREFORE**, it is respectfully requested from this Honorable Court to take notice of the above stated.

**I HEREBY CERTIFY** that on this same date, I electronically filed the foregoing with the Clerk of the Court using CM/ECF system which will send notification of such filing to all attorneys of record. It is also certified that the GPR has knowledge of the present motion.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, on November 14, 2018.

**WANDA VÁZQUEZ GARCED**  
Secretary of Justice

**WANDYMAR BURGOS VARGAS**  
Deputy Secretary in Charge of  
Litigation Department of Justice

**SUSANA PEÑAGARÍCANO BROWN**  
Director of Federal Litigation  
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<sup>2</sup> In light of the new requirements brought by the *Reform Agreement*.